

MATTHEW G. ADAMS (SBN 229021)  
*madams@kaplankirsch.com*  
SARA V. MOGHARABI, *pro hac vice*  
*smogharabi@kaplankirsch.com*  
KAPLAN KIRSCH & ROCKWELL, LLP  
595 Pacific Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94133  
Tel: 628-209-4151  
Fax: 303-825-7005

Attorneys for Friant Water Authority and  
Arvin-Edison Water Storage District

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

THE CALIFORNIA NATURAL RESOURCES  
AGENCY, *et al.*,

Plaintiffs,

v.

WILBUR ROSS, in his official capacity as  
Secretary of Commerce, *et al.*,

Defendants.

**Case No. 1:20-cv-00426-DAD-EPG**

**STIPULATION AND ORDER  
REGARDING INTERVENTION BY  
FRIANT WATER AUTHORITY  
AND ARVIN-EDISON WATER  
STORAGE DISTRICT**

This stipulation is entered by Plaintiffs the California Natural Resources Agency, the California Environmental Protection Agency, and the People of the State of California by and through California Attorney General Xavier Becerra (“Plaintiffs”); Defendants Wilbur Ross in his official capacity, Chris Oliver in his official capacity, David Bernhardt in his official capacity, Aurelia Skipwith in her official capacity, Brenda Burman in her official capacity, the National Marine Fisheries Service, the United States Fish and Wildlife Service, and the United States Bureau of Reclamation (collectively, the “Federal Defendants”); Intervenor-Defendants

the Sacramento River Settlement Contractors and the Tehama-Colusa Canal Authority (collectively, the “Sacramento River Intervenors”); Intervenor-Defendants the South San Joaquin Irrigation District and Oakdale Irrigation District (“SSJID” and “OID,” respectively); Intervenor-Defendants the State Water Contractors; and Intervenor-Defendants the San Luis & Delta-Mendota Water Authority and Westlands Water District. Plaintiffs, the Federal Defendants, and the Intervenor-Defendants are collectively referred to hereinafter as the “Parties.”

### **RECITALS**

WHEREAS, Plaintiffs filed the instant action naming only the Federal Defendants as Defendants. *See* ECF No. 1.

WHEREAS, the Friant Water Authority (“FWA”) and Arvin-Edison Water Storage District (“Arvin-Edison”) (collectively, the “Friant Intervenors”) moved to intervene on the grounds that they have an interest in this litigation. *See* ECF No. 40. FWA is a public agency formed to operate and maintain the Friant-Kern Canal, a portion of the Central Valley Project (“CVP”), and to represent its members in policy, political, and operational decisions that could affect CVP water supplies. *Id.* at 3-4. FWA’s members, including Arvin-Edison, hold contracts with the United States Bureau of Reclamation for water supply from the CVP. *Id.*

WHEREAS, this Court has granted the Sacramento River Intervenors intervention pursuant to the terms of a stipulation. *See* ECF No. 46.

WHEREAS, this Court has granted OID and SSJID intervention pursuant to the terms of a stipulation. *See* ECF No. 62.

WHEREAS, this Court has granted the State Water Contractors and the San Luis & Delta-Mendota Water Authority and Westlands Water District intervention pursuant to the terms of an Order Granting Motions for Permissive Intervention with Conditions on Briefing. *See* ECF No. 65.

WHEREAS, to avoid the necessity of further briefing on the Friant Intervenors’ motion

1 to intervene, the Parties agree that the FWA and Arvin-Edison should be granted leave to  
2 permissively intervene in this case on terms equivalent to those stipulations referenced above.

3 NOW, THEREFORE, it is hereby stipulated by and between the Parties, through their  
4 respective counsel, as follows:

- 5 1. FWA and Arvin-Edison shall be granted permissive intervention in this action.
- 6 2. FWA and Arvin-Edison shall be permitted to file answers in intervention.
- 7 3. FWA and Arvin-Edison shall make good-faith efforts to avoid duplication of  
8 arguments raised by the Federal Defendants, though FWA and Arvin-Edison may  
9 address the same subject matter or issues addressed by the Federal Defendants,  
10 whether from a similar or a different perspective.
- 11 4. Plaintiffs, FWA, and Arvin-Edison shall meet and confer on the need for any page  
12 limitations on briefing by FWA and Arvin-Edison in this action. Plaintiffs, FWA,  
13 and Arvin-Edison reserve the right to seek or oppose additional limitations on the  
14 length of briefs in the event they are unable to reach agreement on page limits.  
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18 DATED: April 23, 2020

KAPLAN KIRSCH & ROCKWELL, LLP

19  
20 By /s/ Matthew G. Adams

MATTHEW G. ADAMS

21 Attorneys for Proposed Intervenor-Defendants  
22 FRIANT WATER AUTHORITY and ARVIN-  
23 EDISON WATER STORAGE DISTRICT  
24  
25  
26  
27  
28

1 DATED: April 23, 2020

XAVIER BECERRA  
Attorney General of California  
TRACY L. WINSOR  
Supervising Deputy Attorney General

2  
3  
4 By /s/ Daniel Fuchs

5 DANIEL FUCHS  
6 Deputy Attorney General  
7 Attorneys for Plaintiffs CALIFORNIA NATURAL  
8 RESOURCES AGENCY, CALIFORNIA  
9 ENVIRONMENTAL PROTECTION AGENCY, and  
PEOPLE OF THE STATE OF CALIFORNIA BY  
AND THROUGH ATTORNEY GENERAL XAVIER  
BECERRA

10 DATED: April 23, 2020

11 JEAN E. WILLIAMS, Deputy Assistant Attorney General  
12 SETH M. BARSKY, Section Chief  
13 S. JAY GOVINDAN, Assistant Section Chief  
14 U.S. Department of Justice  
15 Environment & Natural Resources Division  
16 Wildlife & Marine Resources Section  
17 NICOLE M. SMITH, Trial Attorney (CA Bar No. 303629)

18 By /s/ Lesley Lawrence-Hammer

19 LESLEY LAWRENCE-HAMMER, Senior Trial  
20 Attorney (DC Bar No. 982196)  
21 999 18<sup>th</sup> St., Suite 370  
22 Denver, CO 80202  
23 Telephone (303) 844-1368  
24 Lesley.Lawrence-Hammer@usdoj.gov  
25 Attorneys for FEDERAL DEFENDANTS

26 DATED: April 24, 2020

O'LAUGHLIN & PARIS

27 By /s/ Timothy Wasiewski

28 TIMOTHY WASIEWSKI  
2617 K St., Suite 100  
Sacramento, CA 95816  
Attorneys for Intervenor-Defendant OAKDALE  
IRRIGATION DISTRICT

DATED: April 24, 2020

ROBBINS GODWIN BROWNING AND MARCHINI

By /s/ Kenneth Michael Robbins

KENNETH MICHAEL ROBBINS

700 Loughborough Dr., Suite D

Merced, CA 95348

Attorneys for Intervenor-Defendant SOUTH SAN  
JOAQUIN IRRIGATION DISTRICT

DATED: April 24, 2020

DOWNEY BRAND LLP

By /s/ Meredith E. Nikkel

MEREDITH E. NIKKEL

621 Capitol Mall, 18<sup>th</sup> Floor

Sacramento, CA 95814

Attorneys for Intervenor-Defendants RECLAMATION  
DISTRICT NO. 108, SUTTER MUTUAL WATER  
COMPANY; NATOMAS CENTRAL MUTUAL  
WATER COMPANY; RIVER GARDEN FARMS  
WATER COMPANY; PLEASANT GROVE-  
VERONA MUTUAL WATER COMPANY; PELGER  
MUTUAL WATER COMPANY; MERIDIAN  
FARMS WATER COMPANY; HENRY D. RICHTER,  
et al.; HOWALD FARMS, INC.; OJI BROTHERS  
FARM, INC.; OJI FAMILY PARTNERSHIP;  
CARTER MUTUAL WATER COMPANY;  
WINDSWEPT LAND AND LIVESTOCK  
COMPANY; MAXWELL IRRIGATION DISTRICT;  
BEVERLY F. ANDREOTTI, et al.; TISDALE  
IRRIGATION AND DRAINAGE COMPANY;  
PROVIDENT IRRIGATION DISTRICT;  
PRINCETON-CODORA-GLENN IRRIGATION  
DISTRICT; and TEHAMA-COLUSA CANAL  
AUTHORITY

1 DATED: April 24, 2020

SOMACH SIMMONS & DUNN

2  
3 By /s/ Andrew Hitchings

4 ANDREW HITCHINGS  
5 500 Capitol Mall, Suite 1000  
6 Sacramento, CA 95814  
7 Attorneys for Intervenor-Defendants GLENN-  
8 COLUSA IRRIGATION DISTRICT;  
9 RECLAMATION DISTRICT NO. 1004; CONAWAY  
10 PRESERVATION GROUP, LLC; DAVID AND  
11 ALICE teVELDE FAMILY TRUST; PELGER  
12 ROAD 1700, LLC; ANDERSON-COTTONWOOD  
13 IRRIGATION DISTRICT; CITY OF REDDING; and  
14 KNIGHTS LANDING INVESTORS, LLC

11 DATED: April 27, 2020

KRONICK MOSKOVITZ TIEDEMANN & GIRARD

12  
13 By /s/ Daniel O'Hanlon

14 DANIEL O'HANLON  
15 400 Capitol Mall, 27th Floor  
16 Sacramento, CA 95814  
17 Attorneys for Intervenor-Defendants SAN LUIS &  
18 DELTA-MENDOTA WATER AUTHORITY and  
19 WESTLANDS WATER DISTRICT

18 DATED: April 27, 2020

VAN NESS FELDMAN LLP

19  
20 By /s/ Jenna Mandell-Rice

21 JENNA MANDELL-RICE  
22 719 Second Ave., Suite 1150  
23 Seattle, WA 98104  
24 Attorneys for Intervenor-Defendants STATE WATER  
25 CONTRACTORS  
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27  
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**ORDER**

Pursuant to the Parties' Stipulation, the Court hereby grants Friant Water Authority and Arvin-Edison Water Storage District intervention according to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: **April 27, 2020**

  
UNITED STATES DISTRICT JUDGE